



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,315	02/08/2002	Yuji Sawada	56924 (70551)	3720

21874 7590 08/23/2005

EDWARDS & ANGELL, LLP  
P.O. BOX 55874  
BOSTON, MA 02205

EXAMINER

STORK, KYLE R

ART UNIT PAPER NUMBER

2178

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/049,315

**Applicant(s)**

SAWADA, YUJI

**Examiner**

Kyle R. Stork

**Art Unit**

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

PD

### DETAILED ACTION

1. This non-final office action is in response to the remarks filed 27 June 2005.
2. Claims 1-22 are pending. Claims 1, 8, 15, and 17-18 are independent claims. The rejection of claims 1-22 under 35 U.S.C. 103 have been withdrawn as necessitated by the remarks.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 8-9, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by the source code for "The Declaration of Independence A History," (6 June 1997, hereafter History).

As per independent claim 1, History discloses an electronic book contents comprising a body data unit and a part data unit:

- The body data unit including event data including a description for designating a display method and a first identifier for designating contents displayed on a display region (page 1: Here, the <BODY> tag sets a body data unit. This is followed by tags including, <BODY BGCOLOR> which sets the background color and <BLOCKQUOTE> which sets the text formatting. Here, the <P> tag is the first identifier, designating contents to be displayed on a display region)

- The part data unit including display data divided into a plurality of regions with the first identifier added thereto (pages 1-18: Here, the text is the part data unit. The text is formatted according to the body data unit specification, based upon the first identifier)

As per dependent claim 2, History discloses the electronic book contents wherein the event data includes a description for designating the display method for each page and the first identifier (page 1: Here, the <BODY BGCOLOR> designates at least one display method for the page, namely the background color over which the first identifier contents will be displayed).

As per independent claim 8, the applicant discloses the limitations similar to those in claim 1. History further disclose the part data unit including a display data divided into a plurality of regions with the first identifier added thereto (pages 1-18: Here, every first identifier (<P>) signals a new region (paragraph)). Claim 8 is similarly rejected under History.

As per dependent claim 9, the applicant discloses the limitations similar to those in claim 2. Claim 9 is similarly rejected under History.

As per independent claim 18, the applicant discloses the limitations similar to those in claim 8. Claim 18 is similarly rejected under History.

***Claim Rejections - 35 USC § 103***

Art Unit: 2178

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 10, 19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over History and further in view of Tonomura et al. (US 6571054, filed 9 November 1998, hereafter Tonomura).

As per dependent claim 3, History discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. History fails to specifically disclose wherein said event data further includes a second identifier for designating sound data to be reproduced, and said part data unit further includes the sound data divided into a plurality of regions with said second identifier added thereto. However, Tonomura mentions the sound and speech can be accompanied in the document (Tonomura Col 8 Lines 19-32). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Tonomura to History, providing History the benefit of including sound data in the dividing process, which would ensure that sound associated with the data is correctly divided.

As per dependent claim 10, the applicant discloses the limitations similar to those in claim 3. Claim 10 is similarly rejected under History.

As per dependent claim 19, History and Tonomura disclose the limitations similar to those in claim 3, and the same rejection is incorporated herein. Tonomura discloses the sound and speech can be accompanied in the document and is read by the user

Art Unit: 2178

(Tonomura Col 8 Lines 19-32). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Tonomura to Tonomura and History, providing History the benefit of including sound data in the dividing process, which would ensure that sound associated with the data is correctly divided.

As per dependent claim 21, the applicant discloses the limitations similar to those in claim 19. Claim 21 is similarly rejected under History.

7. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over History and Tonomura and further in view of Shwartz et al. (US 5524201, filed 3 November 1993, hereafter Shwartz).

As per dependent claim 4, History and Tonomura disclose the limitations similar to those in claim 3, and the same rejection is incorporated herein. History further discloses text and image data (page 1: Here, text data occurs after the <p> tag, and the image data occurs after the <IMG SRC> tag). History fails to specifically disclose at least two types of copyright information are described for said text data, said image data and said sound data. However, Shwartz mentions that copyrights can be used (Shwartz Col 2 Lines 20-45). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Shwartz to History and Tonomura, providing History and Tonomura the benefit of including copyright information to include in the process of dividing into regions, which would enhance the process.

As per dependent claim 11, the applicant discloses the limitations similar to those in claim 4. Claim 11 is similarly rejected under History.

8. Claims 5, 7, 12, 14, 20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over History and further in view of Form (US 6281986, filed 20 August 1996).

As per dependent claim 5, History discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. History fails to specifically disclose a plurality of display forms. However, Form discloses a plurality of display forms (column 10, lines 30-41).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History's method with Form's method, since it would have allowed a user to browse the document at a user specified speed (Form: column 2, lines 16-19).

As per dependent claim 7, History discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. History fails to specifically disclose chapter structure information and information for designating a method of controlling trail reading for each chapter. However, Form discloses chapter structure information and information for designating a method of controlling trail reading for each chapter (column 1, line 47- column 2, line 3).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History's method with Form's method, since it would have allowed a user to quickly browse the data (Form: column 1, lines 46-51).

As per dependent claim 10, the applicant discloses the limitations similar to those in claim 5. Claim 10 is similarly rejected under History.

As per dependent claim 14, the applicant discloses the limitations similar to those in claim 7. Claim 14 is similarly rejected under History.

As per dependent claim 20, History and Form disclose the limitations similar to those in claim 5, and the same rejection is incorporated herein. Form further discloses at least a double-page spread display, a single page display, and both a double-page spread display and a single page display (Figures 1 and 4: Here, Figure 1 is a double page spread display, and further shows a single and double display. Figure 4 shows a single page display).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History and Form's method with Form's method, since it would have allowed a user to specify the view.

As per dependent claim 22, the applicant discloses the limitations similar to those in claim 20. Claim 22 is similarly rejected under History.

9. Claims 6, 13, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over History and further in view of Kikinis (US 2002/0049833, filed 4 May 1998).

As per dependent claim 6, History discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. History fails to specifically disclose the data units corresponding to types of electronic book display apparatuses.



Art Unit: 2178

However, Kikinis discloses data corresponding to types of electronic book display apparatuses (paragraphs 0058 and 0104).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History's method with Kikinis's method, since it would have allowed for data to be transmitted in a form usable by the device (Kikinis: paragraph 0058).

As per dependent claim 13, the applicant discloses the limitations similar to those in claim 5. Claim 13 is similarly rejected under History.

As per independent claim 15, the applicant discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. Kikinis further discloses the display apparatus comprising:

- An event reading unit reading event data (paragraph 0060: Here, a web browser is a reading unit)
- An object reading unit referring to the first identifier in the event data read by the event reading unit to read the display data in the part data unit (paragraph 0059: Here, the web browser parses the HTML file, and displays a web page)
- A display unit displaying the display data read by the object reading unit according to the description for designating the display region in the event data read by the event reading unit (paragraph 0059: Here, the browser displays the web page)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History with Kikinis, since it would have allowed a user to read the parsed data.

As per independent claim 17, the applicant discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. Kikinis further discloses a transmission apparatus comprising:

- A storage unit for storing a plurality of contents (paragraph 0047: Here, the proxy server stores contents, including web pages)
- A transmission unit transmitting the contents from the storage unit (paragraphs 0048 and 0052: Here, a user is connected to the proxy server through a modem used to transmit data)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History with Kikinis, since it would have allowed access data on the world wide web.

10. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over History and Kikinis and further in view of Tonomura.

As per dependent claim 16, History and Kikinis disclose the limitations similar to those in claim 15, and the same rejection is incorporated herein. History fails to specifically disclose said event data further includes a second identifier for designating sound data to be reproduced, said part data unit further includes the sound data divided into a plurality of regions with said second identifier added thereto, and said electronic

Art Unit: 2178

book display apparatus further comprises: a sound object reading unit referring to the second identifier in the event data read by said event reading unit to read the sound data in said part data unit; and a reproduction unit reproducing the sound data read by said sound object reading unit. However, Tonomura mentions the sound and speech can be accompanied in the document the is read by the user (Tonomura Col 8 Lines 19-32). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Tonomura to History and Kikinis, providing History and Kikinis the benefit of including sound data in the dividing process, which would ensure that sound associated with the data in correctly divided.

### ***Response to Arguments***

11. Applicant's arguments, see page 2, filed 27 June 2005, with respect to the rejection(s) of claim(s) 1-22 under the combination of references with Rubin have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of History and combinations with Tonomura, Form, Kikinis, and Shwartz.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

Art Unit: 2178

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kyle Stork  
Patent Examiner  
Art Unit 2178

kr

  
**CESAR PAULA**  
**PRIMARY EXAMINER**